GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Revenue Department – Departmental proceedings against Sri Kotti Madan Mohan Sundara Rao, VRO, O/o Tahsildar, Kothuru Mandal, Srikakulam District – Departmental proceedings under Rule 20 of APCS (CCA) Rules, 1991 – Article of charges – Issued.

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REVENUE (VIGILANCE.III) DEPARTMENT

G.O.RT.No. 693 **Dated: 30-09-2024**
Read:-

G.O.Ms.No.208, Revenue (Vig.III) Department, dt:30.09.2024
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ORDER:

It is proposed to hold an enquiry against Sri Kotti Madan Mohan Sundara Rao, VRO, O/o the Tahsildar, Kothuru Mandal, Srikakulam District in accordance with the procedure laid down in Rule 20 of the APCS (CC & A) Rules, 1991 for committing irregularities noticed by the D.G., ACB during the trap conducted in the O/o Tahsildar, Kothuru Mandal, Srikakulam District, on 17.09.2019.

2. The substance of the imputations of misconduct in respect of which the enquiry is proposed to be held is set out in the enclosed statement of articles of charges (Annexure. I). A list of documents by which, and a list of witnesses by whom, the articles of charges are proposed to be sustained are also enclosed (Annexure. II & III).

3. Sri Kotti Madan Mohan Sundara Rao, VRO, O/o the Tahsildar, Kothuru Mandal, Srikakulam District is directed to submit within 10 days of the receipt of this order, a written statement of his defence.

4. Sri Kotti Madan Mohan Sundara Rao, VRO, O/o the Tahsildar, Kothuru Mandal, Srikakulam District is informed that an inquiry will be held only in respect of those articles of charges as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri Kotti Madan Mohan Sundara Rao, VRO, O/o the Tahsildar, Kothuru Mandal, Srikakulam District is further informed that if he does not submit his written statement of defense on or before the time specified in Para 3 above further actions will be processed based on the material available.

6. Attention of Sri Kotti Madan Mohan Sundara Rao, VRO, O/o the Tahsildar, Kothuru Mandal, Srikakulam District is invited to Rule 24 of the APCS (Conduct) Rules, 1964, under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under the government. If any representation is received on his/her behalf from any other person in respect of any matter dealt with in these proceedings it will be presumed that Sri Kotti Madan Mohan Sundara Rao, VRO, O/o the Tahsildar, Kothuru Mandal, Srikakulam District is aware of such a representation and that it has been made at his/her instance and action will be taken against him/her for violation of Rule 24 of APCS (Conduct) Rules, 1964.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

R P SISODIA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To:
Sri Kotti Madan Mohan Sundara Rao, VRO, O/o the Tahsildar, Kothuru Mandal, Srikakulam District ***through*** the Chief Commissioner of Land Administration, A.P., Mangalagiri.

The Chief Commissioner of Land Administration, A.P., Mangalagiri.

Copy to:

The District Collector, Srikakulam

Sf/Sc.

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE –I

STATEMENT OF ARTICLES OF CHARGES FRAMED AGAINST SRI KOTTI MADAN MOHAN SUNDARA RAO, VILLAGE REVENUE OFFICER, NERADI REVENUE CLUSTER, KOTHURU MANDAL, SRIKAKULAM DISTRICT IN RC NO. 79/RCT-ACB-VSK/2019

That Sri Kotti Madan Mohan Sundara Rao, S/o Appanna, aged 48 yrs, Village Revenue Officer, Neradi Revenue Cluster, Kothuru Mandal, Srikakulam District (here-in-after referred as Government Servant) while function as such during the period between 25.06.2016 to 17.09.2019 (till the date of trap) committed grave misconduct in as much as:-

ARTICLE:-

That the Government Servant in abuse of his official position demanded and accepted the bribe amount of Rs.10,000/- from Sri Savara Minna Rao (complainant) as illegal gratification other than legal remuneration as a motive for showing the official favour ie., for sending enquiry report to Tahsildhar, Kothuru Mandal regarding the complainant's application to issue e-Pattadar passbook in favour of mother-in-law of the complainant in connection with the lands Ac. 1.80 cents at Metturuguda village, Neradi cluster, Kothuru Mandal, Srikakulam district, on 17.09.2019 at 13:00 hrs in the office room of Dy. Tahsildar (Civil Supplies) in the office of Tahsildar, Kothuru.

Thus, Sri Kotti Madan Mohan Sundara Rao, S/o Appanna, aged 48 yrs, Village Revenue Officer, Neradi Revenue Cluster, Kothuru Mandal, Srikakulam District by his above mentioned acts exhibited lack of devotion to duty, failed to maintain integrity, behaved in a manner unbecoming of Government servant and brought down the prestige of the Government and thereby violated the Rule 3(1) & 3(2) of A.P.C.S (Conduct) Rules, 1964.

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R P SISODIA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

ANNEXURE –II

STATEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVIOUR IN SUPPORT OF THE ARTICLES OF CHARGES FRAMED AGAINST SRI KOTTI MADAN MOHAN SUNDARA RAO, VILLAGE REVENUE OFFICER, NERADI REVENUE CLUSTER, KOTHURU MANDAL, SRIKAKULAM DISTRICT

Sri Kotti Madan Mohan Sundara Rao, S/o Appanna is a native of Pedda Dugam village, Jalumuru Mandal Srikakulam District. His date of birth is 28.06.1971. He entered into Government Servant in Revenue Department as Village Revenue Officer on 02.06.2008 and worked different places and posted at Althi Revenue cluster, I/c VRO, Neradi Revenue Cluster, Kothuru Mandal, Srikakulam District on 25.06.2016 and worked there to the date of trap. He is due to retire on attaining the age of superannuation on 30.06.2033. He is here-in-after called as Government Servant (G.S.).

CHARGE:-

That the Government servant in abuse of his official position demanded and accepted the bribe amount of Rs.10,000/-from Savara Minna Rao (Complainant) towards gratification other than legal remuneration as a motive of showing the official favour i.e. for sending enquiry report to the Tahsildhar, Kothuru Mandal regarding the complainant's application to issue e-Pattadar passbook in favour of mother-in-law of the complainant.

FACTS AND EVIDENCE :-

That on 16.09.2019 at 15:00 hours, the complainant Sri Savara Minna Rao, S/o Chukkayya (late), aged 37 years, Vennelavalasa village, Sarubujjili Mandal came to the office of the Dy. Supdt. of Police, Anti-Corruption Bureau, Srikakulam and lodged a written complaint stating that his mother-in-law Savara Sayamma possesses Ac. 1.80 cents of land in Sy. Nos. 349-16, 341-8p, 343-13p, 343-14 and 517-12 situated at Metturuguda village and the same has been in possession and enjoyment of his mother-in-law but the name of his mother-in-law was not entered in revenue records completely as a result, no loan is being sanctioned. On 04.09.2019, the complainant and his mother-in-law went to Mee-Seva Center at Sarubujjili and applied for mutation for obtaining title deed and E-passbook in the name of his mother-in-law. Later, on 10.09.2019, the complainant met Sri Kotti Madhan Mohan Sundara Rao, i/c V.R.O, Neradi Revenue cluster, Kothuru Mandal, Srikakulam District at his house at Kothuru and gave Mee-Seva receipt and other connected papers to him. Then the Sri Kotti Madhan Mohan Sundara Rao demanded an amount of Rs.10,000/- as bribe to process and issuance of e-Pass Book in the name of his mother-in-law, but he pleaded his inability and left the place. Again on 16.09.2019 morning, around 11 am, he went to the house of Sri Kotti Madhan Mohan Sundara Rao and requested to complete their work but the Sri Kotti Madhan Mohan Sundara Rao insisted the complainant to pay the demanded amount of Rs.10,000/- towards bribe or otherwise, the work would not be completed. Having no other go, he accepted to give the bribe amount. Since he was not willing to pay bribe amount to the Sri Kotti Madhan Mohan Sundara Rao, he lodged a written complaint with ACB to take necessary action against the Sri Kotti Madhan Mohan Sundara Rao for demanding bribe amount to complete their work.

That after observing legal formalities, DSP, ACB, Srikakulam Range registered the complaint of the complainant as a case in Cr. No. 08/RCT-ACB-SKL/2019 U/s. 7

(a) of PC (Amendment) Act, 2018 of ACB, Srikakulam on 17.09.2019 at 08:15 hrs and took up investigation.

On 17.09.2019, the DSP ACB, Srikakulam secured the presence of Two official mediators viz., i) Sri Peesa Narayanarao, S/o Simhachalam, aged 36 years, Lecturer in Telugu Literature, Government Degree College (Men), Srikakulam, R/o House No. 46, Opposite Chakradhar College, Near ACB Office, Srikakulam and ii) Sri Parasana Kurmayya, S/o Surayya, aged 50 years, Jr. Asst., Government Degree College (Men), Srikakulam, R/o Bubamma Nagar, Balaga, Srikakulam and secured the presence of the complainant.

The DSP, ACB, Srikakulam conducted Pre-trap proceedings from 08:30 hours to 10:30 hours on 17.09.2019 which was reduced into writing by the mediators as pre-trap proceedings incorporating the serial numbers of the currency notes, the demonstration of chemical test, and the instructions issued to the complainant and other members of trap party.

On 17.09.2019 at 13:00 hrs, the Government servant was successfully trapped by the ACB officials when he further demanded and accepted the bribe amount of Rs.10,000/- from the complainant for showing the above said official favour. The chemical test was conducted on both the hand fingers of the Government Servant separately and both the hands yielded positive result. The tainted currency notes were recovered from the back side of right pocket of pant of the Govt. Servant. The serial numbers of the recovered currency notes were tallied with the serial numbers of the currency notes mentioned in pre-trap proceedings. The inner lining of the back side of right pocket pant of the Govt. Servant from where the tainted currency was recovered was also subjected to chemical test and the test yielded positive result. The DSP secured the resultant solutions into three separate bottles, and the tainted currency notes and the pant of the Govt. servant are seized under the cover of mediators report.

The DSP questioned the Govt. servant about the official favour file, he stated that he kept the file in his bag and so saying he took out a file containing 8 sheets and produced before the DSP in the presence of mediators. The DSP perused the files and the details are as follows:

i. Copy of mee-seva receipt bearing No. RMU011902891934- 1 sheet
ii. Copy of form-6(A) – 1 sheet
iii. Copy of Aadhar card of mother-in-law of the complainant Smt. Savara Sayamma – 1 sheet
iv. Copy of endorsement No. FL/2/2018 dated 12.04.2018 of the Tahsidlar, Kothuru – 1 sheet
v. Copy of I-B register in the name of applicant Smt. S. Sayamma – 1 sheet
vi. Copy of ration card of the applicant Smt. S. Sayamma – 1 sheet
vii. Copy of certificate of death extract in the name of S. Gudamayya – 1 sheet
viii. Copy of certificate of death extract in the name of S. Simhachalam – 1 sheet

The DSP seized the above file (one set) for the purpose of investigation duly attested by him and the mediators.

Then the DSP secured the presence of the Complainant and asked him to narrate what had happened after he left the trap party and the version of the complainant was recorded by the mediators in the mediator's report No.2 on that, he stated as follows:

After alighting from the vehicles and after receipt of the instructions from the DSP, ACB, he proceeded to the office of Tahsildar, Kothuru on foot, met Sri KMM Sundara Rao, VRO who is sitting in a chair in the office room of Dy. Tahsildar (Civil Supplies). When he asked about processing the file relating to mutation and e-Pattadar Passbook of his mother-in-law, Govt. servant questioned him whether he brought the demanded bribe amount or not. When he responded positively, the Govt. servant asked him to pay the bribe amount of Rs.10,000/- and complainant took out the tainted amount from his left side shirt pocket and handed over to Sri Sundara Rao, VRO. The Govt. servant received the amount with his right hand, counted with his both hands and kept the amount in back side right pocket of his pant and assured him that he would process the file of his mother-in-law at an early date. Then he left from the office and moved outside of the said building and gave pre-arranged signal by wiping his face with his hand kerchief to the Inspector Sri K. Bhaskara Rao. Immediately, the ACB Officials rushed towards him, he took them to the office room of the Dy. Tahsildar (Civil Supplies) and pointed towards the Govt. servant sitting in the office of Dy. Tahsildar (Civil Supplies).

Then the DSP confronted the Government servant with the version of the complainant, the Government servant kept quiet.

The DSP examined the witnesses who were present at the scene of offence at the time of trap and conducting post trap proceedings in the presence of the mediators and the mediators incorporated their statements in details in the post trap proceedings. The DSP also seized a sample of Sodium carbonate powder used in the chemical test under the cover of mediators report.

The DSP, ACB handed over a copy of the entire file relating to the mother-in-law of the complainant to Smt. M. Sai Krishnaveni, Tahsildar, Kothuru for further process and requested to process the file within a week.

During the course of investigation, on 17.10.2019 the complainant approached the ACB DSP and submitted a CD containing the voice clip of the Accused Officer demanding bribe from him along with the 65-B IEA certificate. On that the CD was played in the presence of mediators and found the voice of the AO is as like that "**మరి నాకు ఇచేస్తావా డబ్బులు, నేను చేసేస్తాను. నీవు రానక్కరలేదు**" and accordingly a mediators report was drafted on 17.10.2019, seized the CD and submitted to the Hon'ble ACB Court, Visakhapatnam.

During course of investigation, the investigating officers examined the following witnesses.

Witness No.1 Sri Savara Minna Rao:- He is the complainant and speaks about the contents of his complaint dated 16.09.2019 submitted to the DSP, ACB, Srikakulam Range and the contents of pre-trap and post-trap proceedings dated 17.09.2019 to the extent concerning him. The statement of the complainant was recorded U/s 164 Cr.P.C by the 1st Addl judicial magistrate of 1st class, Srikakulam 28.09.2019 and he deposed reiterating the contents of complaint and his participation in pre trap and post trap proceedings and also speaks about recording the conversation that took place between him and the Government Servant on 16.09.2019 in his mobile phone, and later got down loaded the same into the C.D and handing over the same to the DSP, ACB on 17.10.2019, and his submission of 65-B Certificate to ACB and he further stated that he in the name of his mother in law had applied in the Mee-Seva portal to the login of the Tahsildar, Kothuru for 4 times for mutation of the said lands but they

rejected without showing the valid reasons and to after the expiry of the SLA period etc, facts.

Witness No.2 Smt. Savara Sayamma, Mother-in - law of the Complainant:- She speaks about the facts of demand of bribe amount of Rs.10,000/- and corroborated the facts of Sri Savara Minna Rao and etc., facts.

Witness No.3 Sri Bodasingi Suresh, Dy. Tahsildar (Civil Supplies), O/o Tahsildar, Kothuru.

Witness No.4 Sri Kapala Srinivasa Rao, Private Computer Operator O/o Tahsildar, Kothuru.

Sri B. Suresh, Dy.Tahsildar and Sri K.Srinivasa Rao on examination stated that, they are working in the O/o Tahsildar, Kothuru. On 17.09.2019 as usual they are attending to their regular duties. Sri K.M.M. Sundara Rao has been working as VRO of Neradi cluster for the last two months. On 17.9.2019 while they were present in their office room, at about 12:45 hours one person came to their room and met Sri Sundara Rao, VRO and conversed with him and later he left from their office room. As they were busy with their office work, they did not observe what was happened between them. After few minutes some persons rushed into their office room. Later they came to know that Sri Sundara Rao, VRO was trapped by the ACB Officials when Sri Sundara Rao demanded and accepted the bribe of Rs.10,000/- from the complainant in their office room to do a work of the complainant.

Witness No.5 Sri Koppala Balakrishna S/o Narayana Rao, Dy. Tahsildar, O/o Tahsildar, Kothuru: He speaks about that he is working as Deputy Tahsildar in Tahsildar office, Kothuru since July 2019. On 17.09.2019 while he was present in the office of Tahsildhar office, Kothuru, he came to know that Sri Kotti Madhan Mohan Sundara Rao, VRO, was trapped by the ACB Officials when he demanded and accepted the bribe of Rs.10,000/- from the complainant Sri Savara Minna Rao in the office room to do work of the complainant. He further speaks about the not downloading of the application of the complainant's mother-in-law and not endorsing the same to VRO for enquiry and further speaks about assisting the ACB officials in conducting proceedings, issuance of proceedings vide RC.No. 3/2019/A/dated 01.08.2019 of O/o the Office of Tahsildhar, Kothuru keeping the AO as In-charge of Neradi cluster etc, facts.

Witness No.6 Sri Badri Tatinaidu, Mee-Seva Operator: He speaks about that he is the resident of Pedda Savalapuram village of Sarubujjili Mandal. He is running a Mee-seva center in the name and style of L.V. Digitals from the year 2018 in the Sarubujjili Headquarters. On 04.09.2019 one Sri Savara Minna Rao of Vennalavalasa village along with his aunt came to his Mee-seva center and applied for mutation cum e- pass book for Ac. 1.80 cents of land in Neradi Revenue cluster in the name of Savara Sayamma and he generated the application vide No. RMU011902891934 and sent to the Tahsildar, Kothuru through Mee-Seva portal on the same day along with all enclosures and he collected Rs.145/- towards Mee-Seva fee and etc., facts.

Witness No.7 Smt. Mahakali Sai Krishnaveni, Tahsildar, Kothuru: She speaks about that She has been working as Tahsildar, Kothuru since 10.07.2019. In Kothuru Mandal 19 Revenue clusters are existed. Sri Kotti Madhan Mohan Sundara Rao, VRO, Althi is kept full additional charge to Neradi Cluster. On 17.09.2019 at about 1.00 pm, while she is working in her chamber, she came to know that VRO Sundara Rao was trapped by ACB officials while demanded and accepting of Rs.10,000/- from one Savara Minna

Rao. Later after some time, the DSP ACB came to her chamber and informed about the trap and asked her about the procedural aspects regarding issuance of e-Pattadar pass book and she narrated the procedural aspects. As per the CCLA's circular number LR.II/ROR2/712B/2016 dated 02.07.2016, the procedure for mutation is that "after receiving intimation/application through Mee-Seva for issuance of e-Pattadar passbook, the Deputy Tahsildar concerned has to download the application on the same day and send it to village Revenue Officer/ Mandal Surveyor for preliminary verification. Then, Village Revenue Officer has to conduct the preliminary enquiry with reference to the documents (R.R.S., Adangal, Link documents and 1B., etc) and with reference to the field possession to ascertain whether subject land belongs to the applicant or not, within two days. Basing on the report of Village Revenue Officer, Revenue Inspector along with Mandal Surveyor has to verify the record and give a detail report along with notional sub division numbers assigned as Assistant/ Dy. Tahsildar for preparation of Form–VIII notice along with Draft amendment to Form 1B and Adangal. After preparation of Form VIII notice along with draft amendment to Form 1B, Adangal by ROR Assistant/Dy.Tahsildar, the Tahsildar shall issue Form VIII notice with his/her signature to the vendor and vendee and also to other interested farmers of the land and for publication. Notice shall be prepared within 3 days from the date of receipt of intimation. Then, form VIII notice has to be published as per Rule 19(1) immediately. After that VRO, RI and Surveyor have to submit detailed report to Deputy Tahsildar with reference to the objections received if any, the Deputy Tahsildar has to verify the enquiry report thoroughly with connected records and present factual position of the land, Deputy Tahsildar shall furnish remarks to accept, or reject shall furnish remarks to accept or reject the mutation with digital signature in his login. Based on the information furnished by the Deputy Tahsildar from his login and report of field staff duly uploaded, the Tahsildar has to conclude whether the mutation can be accepted or rejected. Basing on the objections received if any within the stipulated time, objections raised by persons interested in land on the stipulated day it has to be enquired as per the procedure prescribed. Then the Tahsildar shall generate proceedings in web land with Digital signature of the Tahsildar. If no objections are received within the stipulated period, Tahsildar has to approve the draft Form 1B mutation basing on the reports and effect necessary changes in ROR as per the procedure. The time limit for issuing mutation, Title Deed and E-Pattadar Passbook is 30 days from the date of application at Mee-seva centre". But in this case the Deputy Tahsildhar did not download the application from Mee-seva and not endorsed to the VRO. She came to know that the complainant applied for mutation at the Sarubujjili Mee-Seva center and directly handed over to the VRO for process. The DSP handed over the application file to her for further process and she completed the process and approved the Mee-Seva application of the complainant etc., facts.

Witness No.8 Smt. P. Bala, Present Tahsildar, Kothuru: She speaks about she has been working as Tahsildhar, Kothuru since 01.12.2019. She speaks about that on the requisition given by the ACB officials Srikakulam, she furnished the stage of earlier applications and present applicant of the complainant vide Mee-seva Application Nos. RMU011800443773 dated 03.04.2018, RMU011801289921 dated 04.09.2018, RMU011901960163 dated 07.02.2019, RMU011902549528 dated 30.07.2019 and RMU011902891934 dated 04.02.2019 through letter Rc. No. 330/A dated 03.12.2019 of their office to ACB officials, Srikakulam. According to her version all the four Mee-Seva applications were rejected beyond the SLA period of 30 days and the present Mee-Seva application was approved on 05.10.2019 i.e., after the trap of the AO and etc, facts.

Witness No.9 Sri Gorle Venugopal Rao, Revenue Inspector, Kothuru:- He speaks about that he is working as Revenue Inspector, Kothuru in the office of Tahsildar, Kothuru since 19.10.2016. One K. Sundara Rao, worked as VRO of Neradi cluster under his control. In General, with regard to the mutation cum issuance of E-Pattadar Passbook, the applicant has applied in the Mee-Seva portal and later handed over the documents to the concerned VRO. VRO concerned has to enquire into the same and submit a report. In this case Smt. Savara Sayamma applied for mutation and handed over the application along with other documents directly to Sri Kotti Madhan Mohan Sundara Rao, VRO through his son-in-law Sri Savara Minna Rao. He came to know that Sri Sundara Rao, VRO demanded Rs.10,000/- as bribe for doing the work and while accepting the bribe, he was trapped by ACB officials on 17.09.2019 and etc., facts.

Witness No.10 Sri T.V.S.G. Kumar, RDO, Palakonda:- He speaks about that he has been working as Revenue Divisional Officer, Palakonda. He came to know about the trap of Sri K. Madan Mohan Sundara Rao by the ACB officials on 17.09.2019. As per the requisition given by the DSP, ACB, Srikakulam vide Letter No.08/RCT-ACB-SKL/2019 dated 18.09.2019, he furnished the information relating to the service particulars of the Accused Officer, procedural aspects in mutation cum e-Pattadar passbook through his RC.No..539/2019/A/dt.9.10.2019. As per the CCLA's circular number LR.II/ROR2/712B/2016 dated 02.07.2016, the procedure for mutation is after receiving intimation/application through Mee-Seva for issuance of e-Pattadar passbook, the Deputy Tahsildar concerned has to download the application on the same day and send it to village Revenue Officer/ Mandal Surveyor for preliminary verification. Then, Village Revenue officer has to conduct the preliminary enquiry with reference to the documents (R.R.S., Adangal, Link documents and 1B., etc) and with reference to the field possession to ascertain whether subject land belongs to the applicant or not, within two days. Basing on the report of Village Revenue Officer, Revenue Inspector along with Mandal Surveyor has to verify the record and give a detail report along with notional sub division numbers assigned as Assistant/Dy. Tahsildar for preparation of From–VIII notice along with Draft amendment to Form 1B and Adangal. After preparation of Form-VIII notice along with draft amendment to Form 1B, adangal by ROR Assistant/Dy. Tahsildar, the Tahsildar shall issue Form-VIII notice with his/her signature to the vendor and vendee and also to other interested farmers of the land and for publication. Notice shall be prepared within 3 days from the date of receipt of intimation. Then, Form- VIII notice has to be published as per Rule 19(1) immediately. After that VRO, RI and Surveyor have to submit detailed report to Deputy Tahsildar with reference to the objections received if any, the Deputy Tahsildar has to verify the enquiry report thoroughly with connected records and present factual position of the land, Deputy Tahsildar shall furnish remarks to accept, or reject shall furnish remarks to accept or reject the mutation with digital signature in his login. Based on the information furnished by the Deputy Tahsildar from his login and report of field staff duly uploaded, the Tahsildar has to conclude whether the mutation can be accepted or rejected. Basing on the objections received if any within the stipulated time, objections raised by persons interested in land on the stipulated day it has to be enquired as per the procedure prescribed. Then the Tahsildar shall generate proceedings in web land with digital signature of the Tahsildar. If no objections are received within the stipulated period, Tahsildar has to approve the draft Form 1B mutation basing on the reports and effect necessary changes in ROR as per the procedure. The time limit for issuing mutation, Title Deed and E-Pattadar Passbook is 30 days from the date of application at Mee-seva center. But in this case the Deputy Tahsildhar did not download the application from Mee-seva and not endorsed to the VRO and etc., facts.

The 164 Cr.P.C statement of the complainant Sri Savara Minna Rao got recorded by 1st Addl. Judicial Magistrate of 1st class, Srikakulam on 28.09.2019.

The Revenue Divisional Officer, Palakonda through his letter vide Roc. No. 539/2019 A, dt. 09.10.2019 furnished the information with regard to service particulars of the Government Servant and the procedural aspects for processing by the VRO in Mutation cum e-passbook and etc.

The Tahsildar, Kothuru through her letter vide RC No. 395/A/2019 dt 29.10.2019 furnished the information with regard to Smt. Savara Sayamma W/o Simhachalam applied for mutation in the Mee-Seva on 04.09.2019 and for that application, the VRO and RI conducted verification and completed the process of mutation issue for the lands of the complainant and through his report the Tahsildar enclosed the Adangal copy for the lands of the complainant. On verification of the report, it shows that the public duty relating to the complainant, which was pending with the AO was cleared and approved by the Tahsildar, Kothuru after the trap of the AO only.

Hence the charge against the Government servant that he demanded and accepted a bribe amount of Rs.10,000/- from the Complainant for showing official favour is held substantiated.

Thus, the Government Servant, Sri Kotti Madan Mohan Sundara Rao, S/o Appanna, by his above mentioned acts has exhibited lack of integrity, devotion to duty, and conduct unbecoming of a Government servant and brought down the prestige of the Government and thereby violated the Rule 3(1) & (2) of A.P.C.S (conduct) Rules, 1964.

Thus, the Government Servant, Sri Kotti Madan Mohan Sundara Rao, Village Revenue Officer, Kothuru Mandal, Srikakulam District rendered himself for regular departmental enquiry for major penalty under Rule 20 of APCS (CC & A) Rules, 1991.

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R P SISODIA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

ANNEXURE-III

LIST OF WITNESSES:

The following Oral evidence is available on record:

1. Sri Savara Minna Rao:- He is the complainant and speaks about the contents of his complaint dated 16.09.2019 submitted to the DSP, ACB, Srikakulam Range and the contents of pre-trap and post-trap proceedings dated 17.09.2019 to the extent concerning him. The statement of the complainant was recorded U/s 164 Cr.P.C. by the 1st Addl. Judicial Magistrate of 1st class, Srikakulam 28.09.2019 and he deposed reiterating the contents of complaint and his participation in pre trap and post trap proceedings and also speaks about recording the conversation that took place between him and the Government Servant on 16.09.2019 in his mobile phone, and later got down loaded the same into the C.D. and handing over the same to the DSP, ACB on 17.10.2019, and his submission of 65-B Certificate to ACB and he further stated that he in the name of his mother in law had applied in the Mee-Seva portal to the login of the Tahsildar, Kothuru for 4 times for mutation of the said lands but they rejected without showing the valid reasons and to after the expiry of the SLA period etc, facts.

2. Smt. Savara Sayamma, Mother-in -law of the Complainant:- She speaks about the facts of demand of bribe amount of Rs.10,000/- and corroborated the facts of Sri Savara Minna Rao and etc., facts.

3. Sri Bodasingi Suresh, Dy. Tahsildar (Civil Supplies), O/o Tahsildar, Kothuru.

4. Sri Kapala Srinivasa Rao, Private Computer Operator O/o Tahsildar, Kothuru.
Sri B. Suresh, Dy.Tahsildar and Sri K.Srinivasa Rao, on examination they stated that, they are working in the O/o Tahsildar, Kothuru. On 17.09.2019 as usual they are attending to their regular duties. Sri K.M.M. Sundara Rao has been working as VRO of Neradi cluster for the last two months. On 17.09.2019 while they were present in their office room, at about 12:45 hours one person came to their room and met Sri Sundara Rao, VRO and conversed with him and later he left from their office room. As they were busy with their office work, they did not observe what was happened between them. After few minutes some persons rushed into their office room. Later they came to know that Sri Sundara Rao, VRO was trapped by the ACB Officials when Sri Sundara Rao demanded and accepted the bribe of Rs.10,000/- from the complainant in their office room to do a work of the complainant.

5. Sri Koppala Balakrishna, S/o Narayana Rao, Dy. Tahsildar, O/o Tahsildar, Kothuru: He speaks about that he is working as Deputy Tahsildar in Tahsildar office, Kothuru since July 2019. On 17.09.2019 while he was present in the office of Tahsildhar office, Kothuru, he came to know that Sri Kotti Madhan Mohan Sundara Rao, VRO, was trapped by the ACB Officials when he demanded and accepted the bribe of Rs.10,000/- from the complainant Sri Savara Minna Rao in the office room to do work of the complainant. He further speaks about the not downloading of the application of the complainant's mother-in-law and not endorsing the same to VRO for enquiry and further speaks about assisting the ACB officials in conducting proceedings, issuance of proceedings vide RC.No. 3/2019/A/dated 01.08.2019 of O/o the Office of Tahsildhar, Kothuru keeping the AO as In-charge of Neradi cluster etc, facts.

6. Sri Badri Tatinaidu, Mee-Seva Operator: He speaks about that he is the resident of Pedda Savalapuram village of Sarubujjili Mandal. He is running a Mee-seva center in

the name and style of L.V. Digitals from the year 2018 in the Sarubujjili Headquarters. On 04.09.2019 one Sri Savara Minna Rao of Vennalavalasa village along with his aunt came to his Mee-seva center and applied for mutation cum e- pass book for Ac. 1.80 cents of land in Neradi Revenue cluster in the name of Savara Sayamma and he generated the application vide No. RMU011902891934 and sent to the Tahsildar, Kothuru through Mee-seva portal on the same day along with all enclosures and he collected Rs.145/- towards Mee-seva fee and etc., facts.

7. Smt. Mahakali Sai Krishnaveni, Tahsildar, Kothuru: She speaks about that she has been working as Tahsildar, Kothuru since 10.07.2019. In Kothuru Mandal 19 Revenue clusters are existed. Sri Kotti Madhan Mohan Sundara Rao, VRO, Althi is kept full additional charge to Neradi Cluster. On 17.09.2019 at about 1.00 pm, while she is working in her chamber, she came to know that VRO Sundara Rao was trapped by ACB officials while demanded and accepting of Rs.10,000/- from one Savara Minna Rao. Later after some time, the DSP ACB came to her chamber and informed about the trap and asked her about the procedural aspects regarding issuance of e-Pattadar pass book and she narrated the procedural aspects. As per the CCLA's circular number LR.II/ROR2/712B/2016 dated 02.07.2016, the procedure for mutation is that "after receiving intimation/application through Mee-Seva for issuance of e-Pattadar passbook, the Deputy Tahsildar concerned has to download the application on the same day and send it to village Revenue Officer/ Mandal Surveyor for preliminary verification. Then, Village Revenue Officer has to conduct the preliminary enquiry with reference to the documents (R.R.S., Adangal, Link documents and 1B., etc) and with reference to the field possession to ascertain whether subject land belongs to the applicant or not, within two days. Basing on the report of Village Revenue Officer, Revenue Inspector along with Mandal Surveyor has to verify the record and give a detail report along with notional sub division numbers assigned as Assistant/ Dy. Tahsildar for preparation of Form–VIII notice along with Draft amendment to Form 1B and Adangal. After preparation of Form VIII notice along with draft amendment to Form 1B, Adangal by ROR Assistant/Dy.Tahsildar, the Tahsildar shall issue Form VIII notice with his/her signature to the vendor and vendee and also to other interested farmers of the land and for publication. Notice shall be prepared within 3 days from the date of receipt of intimation. Then, form VIII notice has to be published as per Rule 19(1) immediately. After that VRO, RI and Surveyor have to submit detailed report to Deputy Tahsildar with reference to the objections received if any, the Deputy Tahsildar has to verify the enquiry report thoroughly with connected records and present factual position of the land, Deputy Tahsildar shall furnish remarks to accept, or reject shall furnish remarks to accept or reject the mutation with digital signature in his login. Based on the information furnished by the Deputy Tahsildar from his login and report of field staff duly uploaded, the Tahsildar has to conclude whether the mutation can be accepted or rejected. Basing on the objections received if any within the stipulated time, objections raised by persons interested in land on the stipulated day it has to be enquired as per the procedure prescribed. Then the Tahsildar shall generate proceedings in web land with Digital signature of the Tahsildar. If no objections are received within the stipulated period, Tahsildar has to approve the draft Form 1B mutation basing on the reports and effect necessary changes in ROR as per the procedure. The time limit for issuing mutation, Title Deed and E-Pattadar Passbook is 30 days from the date of application at Mee-seva centre". But in this case the Deputy Tahsildhar did not download the application from Mee-seva and not endorsed to the VRO. She came to know that the complainant applied for mutation at the Sarubujjili Mee-Seva center and directly handed over to the VRO for process. The DSP handed over the application file to her for further process and she completed the process and approved the Mee-Seva application of the complainant etc., facts.

8. Smt. P. Bala, Present Tahsildar, Kothuru: She speaks about she has been working as Tahsildhar, Kothuru since 01.12.2019. She speaks about that on the requisition given by the ACB officials Srikakulam, she furnished the stage of earlier applications and present applicant of the complainant vide Mee-seva Application Nos. RMU011800443773 dated 03.04.2018, RMU011801289921 dated 04.09.2018, RMU011901960163 dated 07.02.2019, RMU011902549528 dated 30.07.2019 and RMU011902891934 dated 04.02.2019 through letter Rc. No. 330/A dated 03.12.2019 of their office to ACB officials, Srikakulam. According to her version all the four Mee-Seva applications were rejected beyond the SLA period of 30 days and the present Mee-Seva application was approved on 05.10.2019 i.e., after the trap of the AO and etc, facts.

9. Sri Gorle Venugopal Rao, Revenue Inspector, Kothuru:- He speaks about that he is working as Revenue Inspector, Kothuru in the office of Tahsildar, Kothuru since 19.10.2016. One K. Sundara Rao, worked as VRO of Neradi cluster under his control. In General, with regard to the mutation cum issuance of E-Pattadar Passbook, the applicant has applied in the Mee-Seva portal and later handed over the documents to the concerned VRO. VRO concerned has to enquire into the same and submit a report. In this case Smt. Savara Sayamma applied for mutation and handed over the application along with other documents directly to Sri Kotti Madhan Mohan Sundara Rao, VRO through his son-in-law Sri Savara Minna Rao. He came to know that Sri Sundara Rao, VRO demanded Rs.10,000/- as bribe for doing the work and while accepting the bribe, he was trapped by ACB officials on 17.09.2019 and etc., facts.

10. Sri T.V.S.G. Kumar, RDO, Palakonda:- He speaks about that he has been working as Revenue Divisional Officer, Palakonda. He came to know about the trap of Sri K. Madan Mohan Sundara Rao by the ACB officials on 17.09.2019. As per the requisition given by the DSP, ACB, Srikakulam vide Letter No.08/RCT-ACB-SKL/2019 dated 18.09.2019, he furnished the information relating to the service particulars of the Accused Officer, procedural aspects in mutation cum e-Pattadar passbook through his RC.No..539/2019/A/dt.9.10.2019. As per the CCLA's circular number LR.II/ROR2/712B/2016 dated 02.07.2016, the procedure for mutation is after receiving intimation/application through Mee-Seva for issuance of e-Pattadar passbook, the Deputy Tahsildar concerned has to download the application on the same day and send it to village Revenue Officer/ Mandal Surveyor for preliminary verification. Then, Village Revenue officer has to conduct the preliminary enquiry with reference to the documents (R.R.S., Adangal, Link documents and 1B., etc) and with reference to the field possession to ascertain whether subject land belongs to the applicant or not, within two days. Basing on the report of Village Revenue Officer, Revenue Inspector along with Mandal Surveyor has to verify the record and give a detail report along with notional sub division numbers assigned as Assistant/Dy. Tahsildar for preparation of From–VIII notice along with Draft amendment to Form 1B and Adangal. After preparation of Form-VIII notice along with draft amendment to Form 1B, adangal by ROR Assistant/Dy.Tahsildar, the Tahsildar shall issue Form-VIII notice with his/her signature to the vendor and vendee and also to other interested farmers of the land and for publication. Notice shall be prepared within 3 days from the date of receipt of intimation. Then, Form- VIII notice has to be published as per Rule 19(1) immediately. After that VRO, RI and Surveyor have to submit detailed report to Deputy Tahsildar with reference to the objections received if any, the Deputy Tahsildar has to verify the enquiry report thoroughly with connected records and present factual position of the land, Deputy Tahsildar shall furnish remarks to accept, or reject shall furnish remarks to accept or reject the mutation with digital signature in his login. Based on the information furnished by the Deputy Tahsildar

from his login and report of field staff duly uploaded, the Tahsildar has to conclude whether the mutation can be accepted or rejected. Basing on the objections received if any within the stipulated time, objections raised by persons interested in land on the stipulated day it has to be enquired as per the procedure prescribed. Then the Tahsildar shall generate proceedings in web land with digital signature of the Tahsildar. If no objections are received within the stipulated period, Tahsildar has to approve the draft Form 1B mutation basing on the reports and effect necessary changes in ROR as per the procedure. The time limit for issuing mutation, Title Deed and E-Pattadar Passbook is 30 days from the date of application at Mee-seva center. But in this case the Deputy Tahsildhar did not download the application from Mee-seva and not endorsed to the VRO and etc., facts.

11) Sri Peesa Narayanarao, S/o Simhachalam, aged 36 years, Lecturer in Telugu Literature, Government Degree College (Men), Srikakulam, R/o House No. 46, Opposite Chakradhar College near ACB Office, Srikakulam:-

He is the 1st mediator and speaks about the contents of Mediators Report-I & II dated 17.09.2019 & Mediators report dt 17.10.2019 and etc, facts.

12) Sri Parasana Kurmayya, S/o Surayya, aged 50 years, Jr. Asst., Government Degree College (Men), Srikakulam, R/o Bubamma Nagar, Balaga, Srikakulam:-

He is the 2nd mediator and speaks about the contents of Mediators Report-I & II dated 17.09.2019 & Mediators report dt. 17.10.2019 and etc, facts.

13) Sri B.V.S.S. Ramana Murty, DSP, ACB, Srikakulam Range:-

He speaks about receipt of written report against the Govt. Servant from Sri Savara Minna Rao, pre-trap and post trap proceedings conducted, examination of witnesses etc. facts.

14) Sri K. Bhaskara Rao, Inspector of Police, ACB, Srikakulam Range:-

He speaks about further investigation, examination of witnesses and finalization of the case etc, facts.

Any further witness is required, he/she will be produced at the time of enquiry.

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R P SISODIA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

ANNEXURE-IV

LIST OF DOCUMENTS:

The following documentary evidence is available on record**:**

1. **Copy of Complaint dated 16.09.2019 given by the complainant.**

   The complaint reveals that the Government Servant demanded and accepted bribe amount of Rs.10,000/- from the complainant for sending enquiry report to Tahsildhar, Kothuru Mandal regarding the complainant's application to issue e-Pattadar passbook in favour of mother-in-law of the complainant, and etc., facts.

2. **Copy of FIR in Cr. No. 08/RCT-ACB/SKL/2019 dated 17.09.2019.**

   It reveals that the complaint received from the complainant pertaining to demanding of the bribe by the Government Servant and registration of the FIR.

3. **Copy of Mediators Report-I:** It reveals the pre trap happenings from 08.30 hrs to 10.30 hrs on 17.09.2019.

4. **Copy of Mediators Report-II:** It reveals the post trap happenings on 17.09.2019.

5. **Copy of Mediators Report-III:** It reveals the handing over the CD which contain the demand of bribe by the government servant to the complainant.

6. **Copy of Made up file relating to the application of the mother-in-law of complainant containing 08 sheets with regard to mutation and issuance of e-Pattadar Passbook for Ac.1.80 cents of land in Sy. Nos. 349-16, 341-8p, 343-13p, 343-14 and 517-12 of Metturuguda village, Kothuru Mandal in possession and enjoyment of Smt. Savara Sayamma of Metturuguda village, Neradi cluster which was seized during the post trap proceedings:-** All the above documents/records show that the Government Servant had intentionally kept the work pending for mutation cum e-passbook work of the mother-in-law of the complainant with him for demanding bribe from the complainant.

7. **Copy of Letter Roc. No. 539/2019 A, dt. 09.10.2019 of the Revenue Divisional Officer, Palakonda.**

   It shows the service particulars and Job Chart and procedural aspects in Mutation cum e-passbook and etc facts.

8. **Copy of RC No. 395/A/2019 dt 29.10.2019 Tahsildar, Kothuru**:

   In the above letter, the Tahsildar, Kothuru furnished information that Smt. Savara Sayamma W/o Simhachalam applied for mutation in the Mee-Seva on 04.09.2019 and for that application, the VRO and RI conducted verification and completed the process of mutation issue for the lands of the complainant and through his report the Tahsildar enclosed the Adangal copy for the lands of the complainant. On verification of the report, it shows that the public duty relating to the complainant, which was pending with the AO was cleared and approved by the Tahsildar, Kothuru after the trap of the AO only.

9. **Copies of Part-II Statements of witnesses 1 to 9 as per annexure- III of DACs:**

10. **Copy of statement of complainant recorded U/s. 164 Cr.P.C.**

It shows that the complainant Sri Savara Minna Rao supported the contents of FIR, Mediators Reports I & II dated 17.09.2022, to the extent concerning to him.

Any further document is required; it will be produced at the time of enquiry.

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R P SISODIA
SPECIAL CHIEF SECRETARY TO GOVERNMENT